

Message Text

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APPROVED BY EA - ROBERT H. MILLER

S/S- PSHANKLE

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FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

C O N F I D E N T I A L STATE 038231

NODIS

E.O. 11652: GDS

TAGS: PFOR, PINS, ID, PO, PT

SUBJECT: CONGRESSIONAL INQUIRY ON TIMOR

REF: STATE 006710.

1. FOLLOWING IS TEXT OF LETTER RECEIVED FROM CONGRESSMAN
BENJAMIN ROSENTHAL, DATED JANUARY 16 (RECEIVED BY DEPT
JANUARY 27):

2. QTE: DEAR MR. SECRETARY: I WRITE CONCERNING THE
POSSIBLE USE OF U.S.-SUPPLIED MILITARY ASSISTANCE BY
INDONESIA IN ITS RECENT MILITARY ACTION AGAINST TIMOR.

SPECIFICALLY, I WOULD LIKE TO KNOW:

(1) IF THE DEPARTMENT HAS WEIGHED INDONESIA'S ACTIONS
AGAINST SECTIONS 505(D) OF THE FOREIGN ASSISTANCE ACT AND
3(C) OF THE FOREIGN MILITARY SALES ACT;

(2) IF, IN THE LEGAL OPINION OF THE DEPARTMENT, THESE
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INDONESIAN ACTIONS DO CONSTITUTE VIOLATIONS OF THE

PROVISIONS CITED;

(3) WHETHER THE UNITED STATES HAS COMMUNICATED TO INDONESIA ANY CONCERN ABOUT THE IMPLICATIONS FOR THE FUTURE U.S. MILITARY AID PROGRAM BECAUSE OF INDONESIA'S ACTIONS IN TIMOR;

(4) ON WHAT BASIS THE UNITED STATES SUPPORTED THE UN SECURITY COUNCIL RESOLUTION OF DECEMBER 22, 1975 CONCERNING TIMOR; AND

(5) WHETHER, IN THE VIEW OF THE DEPARTMENT, THE ACTIONS TAKEN BY INDONESIA ON TIMOR SINCE THE PRESIDENT'S FOREIGN AID MESSAGE OF OCTOBER 30, 1975, CONSTITUTE SUFFICIENT CAUSE TO REVIEW THE RECOMMENDATIONS IN THAT MESSAGE, AND SUPPORTING DOCUMENTS, FOR MILITARY ASSISTANCE TO INDONESIA DURING FY 1976?

I WOULD APPRECIATE THE EARLIEST POSSIBLE REPLY TO THESE QUESTIONS SINCE THE ANSWERS MAY AFFECT CONSIDERATION OF THE FOREIGN MILITARY ASSISTANCE BILL NOW BEFORE THE COMMITTEE ON INTERNATIONAL RELATIONS. SINCERELY,
BENJAMIN S. ROSENTHAL, MC. END QTE.

3. FOLLOWING IS TEXT OF DEPARTMENT'S REPLY:

4. QTE: DEAR MR. ROSENTHAL: THIS IS IN RESPONSE TO YOUR LETTER OF JANUARY 16 (RECEIVED IN THE DEPARTMENT JANUARY 27) IN WHICH YOU ASKED CERTAIN QUESTIONS CONCERNING POSSIBLE USE OF US-SUPPLIED MILITARY EQUIPMENT BY INDONESIA IN TIMOR.

TIMOR, AS YOU KNOW, IS A REMOTE AREA AND OUR INFORMATION ON RECENT EVENTS IS CONSEQUENTLY INADEQUATE IN MANY RESPECTS. NEVERTHELESS, OUR INFORMATION INDICATES THAT INDONESIAN FORCES IN TIMOR HAVE BEEN USING AT LEAST SOME US-SUPPLIED EQUIPMENT. THE DEPARTMENT HAS BEEN STUDYING VERY CAREFULLY THE IMPLICATIONS OF THIS SITUATION FOR US POLICY AND PROGRAMS IN LIGHT OF SECTION 505 (D) OF THE FOREIGN ASSISTANCE ACT AND SECTION 3 (C) OF THE FOREIGN
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MILITARY SALES ACT. THE INDONESIAN GOVERNMENT HAS, FOR SOME TIME, BEEN AWARE OF THESE PROVISIONS AND OUR CONCERNS.

THE DEPARTMENT HAS NOT AT THIS TIME REACHED FINAL CONCLUSIONS REGARDING THE SITUATION IN TIMOR. WE SUPPORTED SECURITY COUNCIL RESOLUTION 384 OF DECEMBER 22, 1975, AS A CONSTRUCTIVE EFFORT TO DEAL WITH A COMPLEX PROBLEM. THE

RESOLUTION CALLED UPON PORTUGAL AND INDONESIA TO TAKE CERTAIN ACTIONS AND REQUESTED THE SECRETARY GENERAL TO APPOINT A SPECIAL REPRESENTATIVE FOR AN ON-THE-SPOT ASSESSMENT OF THE SITUATION. THE SECRETARY GENERAL'S REPRESENTATIVE, MR. WINSPEARE GUICCIARDI, IS CURRENTLY INVESTIGATING THE SITUATION, INCLUDING TALKS WITH THE PORTUGUESE AUTHORITIES IN LISBON AND WITH THE INDONESIANS IN JAKARTA AND A FOUR-DAY INSPECTION OF TIMOR. MR. GUICCIARDI IS EXPECTED TO REPORT HIS FINDINGS TO THE SECRETARY GENERAL SHORTLY.

THE INDONESIANS AND PORTUGUESE HAVE STATED THEIR INTENTIONS TO COOPERATE WITH THE SECURITY COUNCIL'S CONSIDERATION OF THE TIMOR PROBLEM. WE DO NOT, OF COURSE, WISH TO INTERFERE WITH THE COUNCIL'S CONSIDERATION OF THE MATTER, OR TO PREJUDICE IN ANY WAY MR. GUICCIARDI'S REPORT. MOREOVER, WE CONTINUE TO BE HOPEFUL THAT THE REPORT AND SECURITY COUNCIL RESOLUTION MAY PROVIDE THE BASIS FOR A SETTLEMENT OF THE PROBLEM WHICH WILL BE ACCEPTABLE TO THE INHABITANTS OF TIMOR, THE PORTUGUESE AND THE INDONESIANS.

IN VIEW OF THE TENTATIVE SITUATION AND THE IMPORTANCE OF US RELATIONS WITH INDONESIA, WE DO NOT BELIEVE IT APPROPRIATE AT THIS TIME TO REVIEW THE RECOMMENDATIONS IN THE PRESIDENT'S FOREIGN AID MESSAGE OF OCTOBER 30, 1975, CONCERNING SECURITY ASSISTANCE TO INDONESIA.

I HOPE THE FOREGOING WILL BE OF ASSISTANCE TO YOU.
END QTE.

5. AS WITH EARLIER EXCHANGE OF LETTERS ON THIS TOPIC BETWEEN DEPARTMENT AND SENATOR GARY HART, IF GOI RAISES
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QUESTION OF ABOVE LETTERS AND ASKS TO BE INFORMED OF OUR REPLY, YOU ARE AUTHORIZED TO CONVEY THE SUBSTANCE TO THEM. INGERSOLL

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